

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA :  
 :  
 : **NOLLE PROSEQUI**  
- v. - :  
 : S3 11 Cr. 605 (RJS)  
RANDY WASHINGTON, :  
 :  
 :  
Defendant. :  
 :  
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1. The filing of this *nolle prosequi* will dispose of Count Five of Superseding Indictment S3 11 Cr. 605 (RJS) (the "S3 Indictment") filed against defendant RANDY WASHINGTON.

2. On February 15, 2012, the S3 Indictment was filed, charging WASHINGTON in eight counts. On March 20, 2012, following a seven-day trial, a jury convicted WASHINGTON of all eight counts contained in the S3 Indictment.

3. Based on a review of the nature and circumstances of the offenses of conviction and the history and characteristics of the defendant, among other factors, the Government has concluded that imposing the 25-year consecutive mandatory minimum sentence associated with WASHINGTON's conviction on Count Five of the S3 Indictment, a second or subsequent violation of Title 18, United States Code, Sections 924(c)(1)(A)(ii) and 2, would not be in the interests of justice.

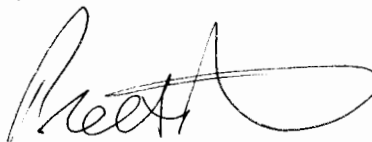
4. In light of the foregoing, we recommend that an order of *nolle prosequi* be filed as to defendant RANDY WASHINGTON with respect to Count Five of Superseding Indictment S3 11 Cr. 605 (RJS).

A handwritten signature in black ink, appearing to read "Christopher J. DiMase", is written over a horizontal line.

Christopher J. DiMase  
Telemachus P. Kasulis  
Assistant United States Attorneys  
(212) 637-2433 / 2617

Dated: New York, New York  
December 18, 2014

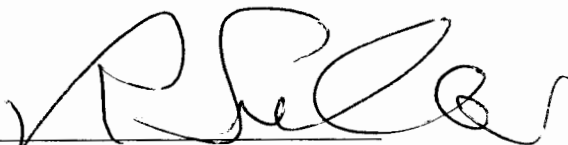
Upon the foregoing recommendation, I hereby direct, with leave of the Court, that an order of *nolle prosequi* be filed as to defendant RANDY WASHINGTON with respect to Count Five of Superseding Indictment S3 11 Cr. 605 (RJS).



PREET BHARARA *THC*  
United States Attorney  
Southern District of New York

Dated: New York, New York  
December 18 2014

SO ORDERED:



Honorable Richard J. Sullivan  
United States District Judge  
Southern District of New York

Dated: New York, New York  
December 18, 2014